

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICCARDO GREEN,

Plaintiff(s),

v.

SEATTLE ART MUSEUM,

Defendant(s).

NO. C07-58MJP

ORDER ON ATTORNEYS' FEES
AND COSTS PURSUANT TO
FRCP 37(d)

The above-entitled Court, having received and reviewed

1. Declaration of Boris Gaviria in Support of Second Order Granting Attorneys' Fees and
Costs (Dkt. No. 108),

2. Plaintiff's Sealed Motion for Miscellaneous Relief (Dkt. No. 118)

and all exhibits and declarations attached thereto, makes the following ruling:

IT IS ORDERED that, pursuant to Court's order of February 8 , 2008 (Dkt. No. 91), Plaintiff shall pay \$6,000.00 in attorneys' fees and costs; said payment is due within 30 days of the entry of this order.

In granting Defendant's Motion to Compel and for Sanctions (Dkt. No. 68), the Court found that the Museum was entitled to a grant of attorney's fees and costs pursuant to FRCP 37(d) and ordered defense counsel to submit a declaration concerning expenditures in those areas. Defendant's attorney filed that declaration (Dkt. No. 108); in response, Plaintiff filed a Sealed Motion for Miscellaneous Relief (Dkt. No. 118, which does not challenge the reasonableness of defense counsels' hours or hourly rates, but simply alleges Plaintiff's inability to pay any assessments).


1 The Court has reviewed Mr. Gaviria's declaration (which lists a total of \$6,798.48 in
2 attorneys' fees and costs) and finds the hours expended to be reasonable and the requested fees to be
3 within current rates for professional legal services.

4 As indicated in the Court's previous order, the award of costs and fees will be discounted to
5 reflect that Defendant did not prevail on the entirety of its motion to compel. The Court finds a
6 reduction of the fee in the amount of \$798.48 to be commensurate with the level of Defendant's
7 success in bringing the motion.

8 Plaintiff is directed to forward payment in the amount of \$6,000.00 to the office of defense
9 counsel by no later than 30 days from the date of entry of this order.

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11 The clerk is directed to provide copies of this order to all counsel of record.

12 Dated: May _____, 2008

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14 
15 Marsha J. Pechman
U.S. District Judge